

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------



EXAMINER

ART UNIT

PAPER

1203

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik whose telephone number is (703) 308-5059, which sometime in January will change to (571) 272-0801. The examiner can normally be reached on Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (703) 308-4310. The fax number for the organization where this application or proceeding is assigned is (703) 306-3218.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.



50431/PPDUSPCT

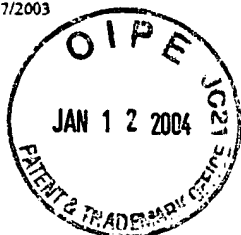
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,823	06/12/2002	Jonathan Griffin	SYN-128	9917

7590
 Colleen Superko
 Hale & Dorr
 60 State Street
 Boston, MA 02109

12/17/2003



HALE AND DORR LLP

DEC 22 2003
DOCKET DEPT.
INTELLECTUAL PROPERTY DEPARTMENT

EXAMINER

KUBELIK, ANNE R

ART UNIT PAPER NUMBER

1638

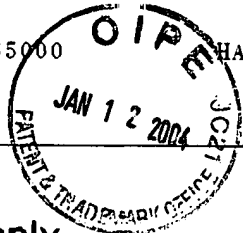
DATE MAILED: 12/17/2003

Due: January 17, 2004.

Please find below and/or attached an Office communication concerning this application or proceeding.

copy to lee

HALE & DORR DOCKETING
 RE: 109846.298 US/1
 Action Date: 1/16/04
 Action to be taken: NOTE.
 Docketed By: BNB On: 12-22-03

**Notice to Comply**

Application No.

Applicant(s)

10/019,823

GRIFFIN ET AL.

Examiner

Art Unit

Anne R. Kubelik

1638

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: CRF DOES NOT MATCH APPLICATION SPECIFICATION

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



Syngenta
Patent and Trademark Dept.
3054 Cornwallis Road
Research Triangle Park,
North Carolina 27709-2257
Tel (919) 597-3031
Fax (919) 541-8689

22-Dec-03

ATTN: Michael Lee
Syngenta Limited
Jealott's Hill International Research
Centre
Bracknell
GB-Berkshire RG42 6YA

Our Ref: 50431/PPDUSPCT

DUE DATE:

January 17, 2004

RESPONSE DATE:

Re: Application of GRIFFIN ET AL.
Case No. 50431/PPDUSPCT
Application No. 10/019823

Ladies and Gentlemen:

Enclosed are copies of the following:

Filing Phase

- ☐ Regular Application filed as a Priority Application
- ☐ Provisional Application filed as a Priority Application
- ☐ Petition to Convert Regular Application into a Provisional Application
- ☐ Regular Application Based On Provisional Application(s) and/or Foreign Application(s)
- ☐ CPA Transmittal Form .
- ☐ Continuation of Application No. _____
- ☐ Division of Application No. _____
- ☐ Continuation-in-part of Application No. _____
- ☐ Entry of PCT Application Into National Stage
- ☐ Official Filing Receipt (Dated: _____)
- ☐ Other Document(s)

Prosecution Phase

- ☐ Paper(s) received from the PTO - Notice To Comply (Due Date: January 17, 2004)
- ☐ Paper(s) sent to the PTO
- ☐ Other Document(s)

Issuance

- ☐ Notice of Allowance (Dated: _____)
- ☐ Issue Notification Form
- ☐ Patent (three soft copies)

Miscellaneous

- ☐ Notice of Abandonment (Dated: _____)
- ☐ Notice of Recordation of Assignment Document (Recordation Date: _____)
- ☐ Other Document(s)

Very truly yours,

Oksana Buynitzky